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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 April 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *22-43* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *22-43* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communications: A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/9/09 has been entered.

2.   Claims 1-21 have been cancelled. Claims 22-43 are now pending. Claims 22, 30, and 35 are independent claims.

Specification

3.   The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: "tangible computer readable media" has not clearly been defined in the specification.

Claim Rejections - 35 USC § 112

4.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5.   Claims 22-43 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Specifically, each of independent claims 22, 30, and 35 recite "independent images". The specification does not appear to support this feature. Correction is required.

Claims 23-29, 31-34, and 36-43 are rejected under 35 USC 112, first paragraph for fully incorporating the deficiencies of their base claim from which they depend.

6.   Claims 35-43 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Specifically claim 35 recites features drawn to ***detecting user interaction with a displayed image and identifying a second markup language tag specifying the multi-image file, the second markup language tag comprising the first code and***

one or more third codes specifying images in the multi image file; parsing the

multi-image file to identify one or more images specified by the third codes; and

simultaneously displaying one or more images specified by the third codes. The

Specification does not appear to support these amendments. Correction and/or

clarification is required.

Further, the features of claims 36-37, 39, and 43 are not supported by the

Specification. Correction is required.

Claims 36-43 are rejected under 35 USC 112, first paragraph for fully

incorporating the deficiencies of their base claim from which they depend.

7.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

8.   Claims 30-34 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention. The claims recite both a product and method steps

which makes the claim ambiguous.

9.   Claims 35-43 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

Applicant recites "simultaneously displaying one or more images specified by a second code" and "simultaneously displaying one or more images specified by a third code". It is not clear how one image can be displayed simultaneously. Clarification is required.

Claim Rejections - 35 USC § 101

10.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

11.   Claims 22-43 are rejected under 35 U.S.C. 101 because they are directed to nonstatutory subject matter.

Claims 22-29 and 35-43 are rejected under 35 USC 101 for being drawn to a patent ineligible process. Based on Supreme Court precedent and recent Federal Circuit Decisions, a 101 process must (1) be tied to another statutory class (such as a particular apparatus) or (2) transform underlying subject matter to a different state or thing. When neither of these requirements are met, the method is not a patent eligible process under 101 and is directed to non-statutory subject matter. Such is the case with claims 22-29 and 35-43 since the method is neither tied to another statutory class nor does it transform underlying subject matter from one state to another.

Claims 30-34 are rejected under 35 USC 101 for because the claim is directed to neither a "process" nor a "product" but rather embraces or overlaps two different

statutory classes of invention. 35 U.S.C. 101 sets forth the statutory classes of

invention in the alternative only. Therefore, claims 30-34 are rejected under 101 for

being drawn to two different statutory classes of invention.

Consequently, the claims are nonstatutory.

Further, to expedite a complete examination of the instant application the claims

rejected under 35 U.S.C. 101 (nonstatutory) above are further rejected as set forth

below in anticipation of applicant amending these claims to make them statutory.

Claim Rejections - 35 USC § 102

12.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

13.   **Claims 22 and 28-34 are rejected under 35 U.S.C. 102(b) as being**

anticipated by Munro et al., US 2002/0089549 A1, July 11, 2002.

In reference to claim 22, Munro teaches a method, apparatus, and system for

accessing images from the Internet on a webpage where the web page is written in

XML, the browser displays the image in the web page. See page 1, paragraphs [0003]-

[0008]. This meets the preamble, *a method of displaying a web page*. Munro discloses the following:

-A multiple-image viewer supporting the display of images having multiple levels of resolution. See page 5, pargraph [0049]. Multiple images can make up a composition of thumbnail type images for simultaneous display in a browser window. See page 1, paragraph [0008]. *A file structure comprises a series of sub-images*, each one being a predetermined portion of the size of its predecessor. Munro teaches a composition of multiple images may be put together into a single image file and that sole image file will be displayed within a single window which meets the limitation, *receiving a multi-image file, the multi-image file consists of a single data file comprising a plurality of images adapted for cooperative display*. See page 1, paragraph [0008] and page 5, paragraphs [0049]-[0050].

-Using standard HTML language to insert images into web pages. Images being displayed using a web browser a page description language such as XML or HTML defines how to display these images. Standard HTML allows images of various types to be inserted into a web page using the HTML tag "IMG" which meets the limitation *receiving a web page containing markup language tag, the markup language tag comprising code specifying which of the plurality of images should be displayed; and displaying the web page*. See page 3, paragraph [0029] and page 1, paragraph [0004].

In reference to claim 28, Munro teaches storing multiple images in a single image file. The multiple images can make up a composition of thumbnail type images for simultaneous display in a browser window. See page 1, paragraph [0008]. The bitmap image has a hierarchal system of folders associated with the bitmap image. See page 1, paragraph [0009]. This meets the limitation, **the plurality of independent images comprises a menu item.**

In reference to claim 29, Munro teaches the using standard HTML language to insert images into web pages. Images being displayed using a web browser a page description language such as XML or HTML defines how to display these images. Standard HTML allows images of various types to be inserted into a web page using the HTML tag "IMG" which meets the limitation, **wherein the markup language tag comprises an HTML code.** See page 3, paragraph [0029] and page 1, paragraph [0004].

Regarding claim 30, claim 30 is drawn to the program product performing the method of claim 22 above. Therefore, claim 30 is rejected under the same rationale used in claim 22 above and further in view of the teachings that the images can comprise primary and secondary images which meets the limitation **including a primary image and at least one secondary image.** See page 4-5, paragraph [0044].

Regarding claim 31, Munro dislcoses the program comprises a web browser.

See page 1, paragraph [0004], page 2, paragraph [0027], and figure 1.

Regarding claim 32, Munro teaches the images can be placed in separate

layers; the upper layer will overlay the lower one when there is an overlap which meets

the limitation *the primary image and the secondary image comprise*

complementary layers. See page 4-5, paragraph [0044].

Regarding claim 33, Munro discloses that the multiple-image viewer allows

multiple images to be displayed wherein the images are in alternate versions. See

pages 2-3.

Regarding claim 34, Munro teaches the images can be placed in separate

layers; the upper layer will overlay the lower one when there is an overlap which meets

the limitation, *wherein at least one secondary image overlays the primary image*.

See page 4-5, paragraph [0044].

14.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

15.   Claims 22-25, 29-31, and 33 are rejected under 35 U.S.C. 102(e) as being anticipated by Wan, US 7,461,168 B1, 12/02/08 (filed 09/15/00).

Regarding claim 22, Wan discloses a method for displaying information online such as through a web page which meets the preamble.

Wan discloses ***receiving a multi-image file, wherein the multi-image file consists of a single data file comprising a plurality of independent images adapted for cooperative display***. See figures 12-13, the <ImageGroup id> and <image href>.

Wan discloses ***receiving a web page containing a markup language tag, the markup language tag comprising code specifying which of the plurality of images in the multi-image file should be displayed***. See figures 12-13, column 2, lines 39-67, column 17, lines 25-30 and column 18, lines 1-20 where the code indicates which images of the multi-image file should be displayed or which "fragment" of a resource should be displayed.

Wan discloses ***displaying the web page***. See figure 13, column 1, lines 20-34 and columns 17-19 which discuss rendering a web page.

Regarding claim 23, Wan discloses *an information header containing an*

image name for each image in the multi-image file as in figure 13. See the

<ImageGroupId='RocketImages'> and <Imagehref='#BeforeLaunch'>.

Regarding claim 24, Wan discloses the information header comprises a

primary image indicator. See figure 13 where the primary image is the first image,

<Imagehref='#BeforeLaunch'>.

Regarding claim 25, Wan dislcoses *the information header further*

comprises an image location in the multi-image file for each image. See figure 13

where for each image group, the location of the file is identified by <Image href>.

Regarding claim 29, Wan disclsoes the markup language tag can be in XML or

HTML. See column 1, lines 64-67 through column 2, lines 1-6.

Regarding claim 30, Wan discloses a method for displaying information online

such as through a web page which meets the preamble.

Wan discloses *receiving a multi-image file, the multi-image file consists of a*

single data file comprising a plurality of independent images including a primary

image and at least one secondary image. See figures 12-13, the <ImageGroup id>

and <image href> which show a single data file with at least a primary and secondary

image.

Wan discloses *selecting an image for display from the multi-image file*. See

figures 12-13, column 2, lines 39-67, column 17, lines 25-30 and column 18, lines 1-20

where the code indicates which images of the multi-image file should be displayed or

which "fragment" of a resource should be displayed.

Wan discloses *displaying the selected image*. See figure 13, column 1, lines

20-34 and columns 17-20 which discuss rendering fragment of content.

Regarding claim 31, Wan teaches a **web browser** renders images as in column

1, lines 20-34 and column 17, lines 30-67.

Regarding claim 33, Wan discloses the primary and secondary images can be

different versions of an image such as of a rocket before it is launched and while it is

launching. See figure 13.

Claim Rejections - 35 USC § 103

16.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

17.   Claims 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable

over <u>Munro et al.</u>, US 2002/0089549 A1, July 11, 2002 in view of <u>Miller et al.</u>, US

2005/0185055 A1, 08/25/05 (filed 12/08/00).

In reference to claims 26-27, Munro does not teach in response to an event

displaying the web page with a secondary image wherein the event is a mouse-over

event; however, Miller does. Miller teaches user instructions are also displayed, to tell

the user to click on the "nicest looking" small picture, which then appears in the

preferred image window. The user uses a standard input device, such as the **mouse**, to

make this selection in block. For example, if the user preferred the appearance of the

image with lower than normal contrast, the user would click on image. In response, the

CPU would update the display on the display monitor so that the image displayed in

preferred image window had lower than normal contrast, matching the contrast of the

selected image, and move the indicator to surround image. At this point, the user can

select a different image from among images, in order to display images with other

appearances as large images in the preferred image window, or the user can select the

"done" icon. See page 4, paragraph [0036]. This meets the limitation, ***in response to***

an event displaying the web page with a secondary image wherein the event is a

mouse-over event. It would have been obvious to a person of ordinary skill in the art

at the time of the invention to incorporate a mouse-over event for displaying the web

page with a secondary image, as taught by Miller, within the system of Munro as a

means for displaying a second image because it enables interactive functions to be

used by the user allowing them to carry out image manipulations. See page 4,

paragraph [0036].

18.   **Claims 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable**

over <u>**Munro et al.**</u>**, US 2002/0089549 A1, July 11, 2002 in view of** <u>**Tucker et al.**</u>**, US**

2004/0049598 A1, 03/11/04 (filed 02/23/01).

       Regarding claim 23, Munro does not teach an ***information header containing***

an image name for each image; however, Tucker discloses an image data header.

See figure 12, 1216. The image data header supports multiple images of multiple

types. The image descriptor follows the image header and describes the image data

which meets the limitation, ***information header containing an image name for each***

image. See pages 7-8, paragraphs [0058]-[0061].

       It would have been obvious to a person of ordinary skill in the art at the time of

the invention to incorporate Tucker's image header in the system of Munro as it

provides information about images located in the file in a manner that is efficient and

quickly visible. See abstract and pages 7-8, paragraphs [0058]-[0061].

       Regarding claim 24, Munro does not teach an information header comprises a

primary image indicator; however, Tucker discloses an image data header. See figure

12, 1216. The image data header supports multiple images of multiple types which

meets the limitation, *a primary image indicator*. The image descriptor follows the

image header and describes the image data. See pages 7-8, paragraphs [0058]-[0061].

It would have been obvious to a person of ordinary skill in the art at the time of

the invention to incorporate Tucker's image header in the system of Munro as it

provides information about images located in the file in a manner that is efficient and

quickly visible. See abstract and pages 7-8, paragraphs [0058]-[0061].

Regarding claim 25, Munro does not teach an information header comprises an

image location in the multi-image file for each image; however, Tucker discloses an

image data header. See figure 12, 1216. The image data header supports multiple

images of multiple types. The image descriptor follows the image header and describes

the image data which meets the limitation, *an information header comprises an*

image location in the multi-image file for each image. See pages 7-8, paragraphs

[0058]-[0061].

It would have been obvious to a person of ordinary skill in the art at the time of

the invention to incorporate Tucker's image header in the system of Munro as it

provides information about images located in the file in a manner that is efficient and

quickly visible. See abstract and pages 7-8, paragraphs [0058]-[0061].

19.   Claims 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable

over <u>Wan</u>, US 7,461,168 B1, 12/02/08 (filed 09/15/00) in view of <u>Miller et al.</u>, US

2005/0185055 A1, 08/25/05 (filed 12/08/00).

In reference to claims 26-27, Wan does not teach in response to an event

displaying the web page with a secondary image wherein the event is a mouse-over

event; however, Miller does. Miller teaches user instructions are also displayed, to tell

the user to click on the "nicest looking" small picture, which then appears in the

preferred image window. The user uses a standard input device, such as the **mouse**, to

make this selection in block. For example, if the user preferred the appearance of the

image with lower than normal contrast, the user would click on image. In response, the

CPU would update the display on the display monitor so that the image displayed in

preferred image window had lower than normal contrast, matching the contrast of the

selected image, and move the indicator to surround image. At this point, the user can

select a different image from among images, in order to display images with other

appearances as large images in the preferred image window, or the user can select the

"done" icon. See page 4, paragraph [0036]. This meets the limitation, ***in response to***

an event displaying the web page with a secondary image wherein the event is a

mouse-over event. It would have been obvious to a person of ordinary skill in the art

at the time of the invention to incorporate a mouse-over event for displaying the web

page with a secondary image, as taught by Miller, within the system of Wan as a means

for displaying a second image because it enables interactive functions to be used by the

user allowing them to carry out image manipulations. See page 4, paragraph [0036].

20.   **Claims 28, 32, and 34-43 are rejected under 35 U.S.C. 103(a) as being**

unpatentable over <u>Wan</u>, US 7,461,168 B1, 12/02/08 (filed 09/15/00) in view of

<u>Munro et al.</u>, US 2002/0089549 A1, July 11, 2002.

Regarding claim 28, Wan does not teach the plurality of independent images

comprise a menu element.

Munro teaches storing multiple images in a single image file. The multiple

images can make up a composition of thumbnail type images for simultaneous display

in a browser window. See page 1, paragraph [0008]. The bitmap image has a

hierarchal system of folders associated with the bitmap image. See page 1, paragraph

[0009]. This meets the limitation, **the plurality of independent images comprises a**

menu item.

It would have been obvious to a person of ordinary skill in the art at the time of

the invention to have substituted the images of Wan to include images comprising menu

items as suggested by Munro because one of ordinary skill in the art would have been

able to carry out such a substitution, and the results were reasonably predictable.

Regarding claim 32, Wan does not discloses the primary and secondary image

comprise complementary layers.

Munro teaches the images can be placed in separate layers; the upper layer will

overlay the lower one when there is an overlap which meets the limitation ***the primary***

image and the secondary image comprise complementary layers. See page 4-5, paragraph [0044].

It would have been obvious to a person of ordinary skill in the art at the time of the invention to have modified Wan's system to include complementary layers as suggested by Munro because both systems deal with visual content and displaying multiple images from a single file and it would have been obvious to a person of ordinary skill in the art to try displaying images as complementary layers with a reasonable expectation of success since it was known in the art.

Regarding claim 34, Wan does not teach the secondary image overlays the primary image.

Munro teaches the images can be placed in separate layers; the upper layer will overlay the lower one when there is an overlap which meets the limitation, *wherein at least one secondary image overlays the primary image*. See page 4-5, paragraph [0044].

It would have been obvious to a person of ordinary skill in the art at the time of the invention to have modified Wan's system to include complementary layers as suggested by Munro because both systems deal with visual content and displaying multiple images from a single file and it would have been obvious to a person of ordinary skill in the art to try displaying images as complementary layers with a reasonable expectation of success since it was known in the art.

Regarding claim 35, Wan discloses a method for displaying information online

such as through a web page which meets the preamble.

Wan discloses *receiving a multi-image file, wherein the multi-image file*

consists of a single data file comprising a plurality of independent images

adapted for cooperative display. See figures 12-13, the <ImageGroup id> and

.

Wan discloses *identifying a first markup language tag specifying the multi-*

image file, the first markup language tag comprising code identifying the multi-

image file and one or more second codes specifying images in the multi-image

file for display. See figure 13, column 2, lines 39-67, column 17, lines 25-30 and

column 18, lines 1-20 where the code includes a tag for the image file (i.e.

<ImageGroup id>) and the images in the file <image href>.

Wan discloses *parsing the multi-image file to identify the one or more*

images specified by the second codes. See figure 13, column 2, lines 39-67, column

17, lines 25-30 and column 18, lines 1-20 where a fragment identifier specifies which

image to display.

Wan discloses *simultaneously displaying the one or more images specified*

by the second code. See the code in figure 13 where an image is identified.

Wan does not disclose detecting user interaction with a displayed image.

Munro discloses *detecting user interaction with a displayed image.* See

page 4, paragraph [0044] where a user can click on an image causing the browser to go

to a new location.

It would have been obvious to a person of ordinary skill in the art at the time of

the invention to modify Wan's system with Munro's system for displaying multiple

images including detecting user interaction with a displayed image because both Wan

and Munro are drawn to displaying multiple images, all the claimed elements were

known in the prior art and one skilled in the art could have combined the elements as

claimed by known methods with no change in their respective functions, and the

combination yielded nothing more than predictable results to one of ordinary skill in the

art.

Wan further teaches *identifying a second markup language tag specifying*

the multi-image file, the second markup language tag comprising the first code

and one or more third codes specifying images in the multi-image file; parsing

the multi-image file to identify one or more images specified by the third codes;

and simultaneously displaying one or more images specified by the third codes .

See figure 13 where a first code (i.e. <ImageGroup id>) with one or more third codes

(<image href='#Launching'>) specifying images in the multi-image file.

Regarding claim 36, Wan does not discloses the primary and secondary image

comprise complementary layers.

Munro teaches the images can be placed in separate layers; the upper layer will

overlay the lower one when there is an overlap which meets the limitation *the primary*

image and the secondary image comprise complementary layers. See page 4-5,

paragraph [0044].

It would have been obvious to a person of ordinary skill in the art at the time of the invention to have modified Wan's system to include complementary layers as suggested by Munro because both systems deal with visual content and displaying multiple images from a single file and it would have been obvious to a person of ordinary skill in the art to try displaying images as complementary layers with a reasonable expectation of success since it was known in the art.

Regarding claim 37, Wan does not teach the first set of images overlays a second set of images.

Munro teaches the images can be placed in separate layers; the upper layer will overlay the lower one when there is an overlap which meets the limitation, ***a first set of images. . . overlaying a second set of images***. See page 4-5, paragraph [0044].

It would have been obvious to a person of ordinary skill in the art at the time of the invention to have modified Wan's system to include complementary layers as suggested by Munro because both systems deal with visual content and displaying multiple images from a single file and it would have been obvious to a person of ordinary skill in the art to try displaying images as complementary layers with a reasonable expectation of success since it was known in the art.

Regarding claim 38, Wan discloses the **multi-image file comprises an image descriptor for each of the plurality of images.** See figure 13 where each image has

an image descriptor, column 2, lines 39-67, column 17, lines 25-30 and column 18, lines
1-20.

Regarding claim 39, Wan discloses ***parsing the multi-image file to identify***
the one or more images specified by the second codes comprises comparing the
second codes to the image descriptors. See figure 13, column 2, lines 39-67,
column 17, lines 25-30 and column 18, lines 1-20 where a fragment identifier specifies
which image to display.

Regarding claim 40, Wan does not expressly teach receiving an image file and
detecting whether it is a conventional file and displaying the web page with the single
image; however, Munro teaches ***receiving an image file and detecting whether it is a***
conventional file and displaying the web page with the single image. See pages 2-
4.

It would have been obvious to a person of ordinary skill in the art at the time of
the invention to modify Wan's system with Munro's system for displaying multiple
images including detecting user interaction with a displayed image because both Wan
and Munro are drawn to displaying multiple images, all the claimed elements were
known in the prior art and one skilled in the art could have combined the elements as
claimed by known methods with no change in their respective functions, and the
combination yielded nothing more than predictable results to one of ordinary skill in the
art.

Regarding claim 41, Munro further teaches parsing a file for image descriptors. See paragraph [0029]. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Wan's system with Munro's system for displaying multiple images including detecting user interaction with a displayed image because both Wan and Munro are drawn to displaying multiple images, all the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination yielded nothing more than predictable results to one of ordinary skill in the art.

Regarding claim 42, Wan discloses multi-image file comprises a *primary image specification.* See figure 13 where the primary image is the first image, <Imagehref='#BeforeLaunch'>.

Regarding claim 43, Wan discloses displaying a primary image. While Wan does not expressly state displaying the primary image upon failure to identify an image specified by one or more second codes, it would have been obvious to a person of ordinary skill in the art at the time of the invention to display the image for which the code is recognized.

Response to Arguments

21.   Applicant's remarks filed 04/09/09 have been fully considered. Applicant did not

provide any arguments but merely stated the new claims overcome the cited prior art

references. New claims 22-34 have been rejected above over the previously cited art

as well as new art. Please refer to the rejections above for more detail.

In view of the comments above, the rejection is maintained.

Conclusion

22.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to RACHNA S. DESAI whose telephone number is

(571)272-4099. The examiner can normally be reached on M-F (8:30AM-6:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Doug Hutton can be reached on 571-272-4137. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

/Rachna S Desai/
Primary Examiner, Art Unit 2176
06/17/09